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COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE WASHINGTON, D.C. 20231 www.uspto.gov

ATTORNEY DOCKET NUMBER FIRST NAMED APPLICANT FILING/RECEIPT DATE APPLICATION NUMBER 42390P11689 James P. Kardach 06/27/2001 09/894,520

CONFIRMATION NO. 5997

FORMALITIES LETTER

Michael J. Mallie BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP Seventh Floor 12400 Wilshire Boulevard Los Angeles, CA 90025-1026

OC000000006459945*

Date Mailed: 08/22/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

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A copy of this notice MUST be returned with the reply.

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FEE CALCULATION (continued)					
3. ADDITIONAL FEES					
Large	<u>Entity</u>	Small E	ntity		
Fee	Fee	Fee	Fee		
Code	(\$)	Code	(\$)	Fee Description Fee Paid	
105	130	205	65	Surcharge - late filing fee or oath <u>130.00</u>	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive – unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	For filing a submission after final rejection (see 37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (see 37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design	
				application	
195	300	195	300	Publication fee for early, voluntary, or normal publication	
196	300	196	300	Publication fee for republication	
194	130	194	130	Request for voluntary publication or republication	
098	130	098	130	Processing fee under 37 CFR 1.17(i)	
091	1,240	091	1,240	Acceptance of unintentionally delayed claim for priority	
		• /			
Other	fee (specif	y)			
*Redu	ced by Basic	: Filing Fee	Paid	SUBTOTAL (3) \$ 130.00	
SUBI	SUBMITTED BY:				
Typed or Printed Name: Michael J. Mallie					
Signature: Date: 10/16/01					
Reg. Number: 36,591 Telephone Number: (408) 720-8300					

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FIRST CLASS CERTIFICATE OF MAILING

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	Filing/Issue Date: 6/27/01
Serial/Patent No.: 09/894 570	
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Date Maries has been received in the U.S. Pa	tent & Trademark Office on the unit XX Check No. 45400
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Amendment/Response (pgs.)	Mosmus) Extended (pgs.) Check No
Appeal Brief (pgs.) (in triplicate) Application - Utility (pgs., with cover and abstract)	
Application - Utility (pas, was constant)	Issue Fee Transmittal
Application - Rule 1.53(b) Continuation (pgs.)	Notice of Appeal
Application - Rule 1.53(b) Divisional (pgs.)	Petition for Extension of Time
Application - Rule 1.53(b) CIP (pgs.)	Petition for
Application - Rule 1.53(d) CPA Transmittal (pgs.)	XX Postcard
Application - Design (Pgs.)	Power of Amorney (Pgs.)
Amplication - PCT (PBL)	Preliminary Amendment (pgs.)
Application - Provisional (Pgs.)	Reply Brief (Pgs.)
Assignment and Cover Sheet	near state of Missing PRIS
A Partificant of Mailing	Small Entity Declaration for Indep. Inventor/Small Business
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	file Missing Parts (2 pgs.).
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If the Application of:)
James P. Kardach	·)
Serial No.: 09/894,520)
Filed: June 27, 2001) }
·	TION INFORMATION TO) TED APPLICATION WITH) PPLICATION)

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION (FILING DATE GRANTED)

Sir:

In response to the Notice to File Missing parts of Application (Filing Date Granted) mailed August 22, 2001, please find enclosed:

- (1) a duly executed Declaration and Power of Attorney with respect to the above-referenced patent application;
 - (2) 6 pages of Substitute Drawings;

Assistant Commissioner for Patents

BOX MISSING PARTS Washington, D.C. 20231

- (3) a check in the amount of \$130.00 in payment of the surcharge of 37 C.F.R. § 1.16(e); and
 - (4) a copy of the Notice to File Missing Parts of Application.

Patent ·

If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of this Response is enclosed for deposit account charging purposes.

Respectfully submitted, BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP Michael J. Mallie Reg. No. 36,591 12400 Wilshire Blvd. Seventh Floor Los Angeles, CA 90025-1026 (408) 720-8598 FIRST CLASS CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a)) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 October 18 : 4001 Date of Deposit Angela M. Quinn Name of Person Mailing Correspondence Signature Date

3. /	OITIDGA	NAL FEES	S	
Large E	<u>Entity</u>	Small E		
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091	1,240	091	1,240	Acceptance of unintentionally delayed claim for priority
Other	fee (speci	ify)	 	
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FEE CALCULATION (continued)